

on one side and Senator HELMS on the other—to come together with agreement, and I was told, as recently as 10 minutes ago, that they are just that far apart, which will certainly resolve all the questions that have been raised, I think, by the Senator from New Mexico.

Mr. BINGAMAN. Mr. President, if I can respond to the majority leader's suggestion.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I certainly have no question about the majority leader's good intentions with regard to these matters. I think he has been trying to move ahead on them. But unfortunately, in order to get anything done around here, you need unanimous consent. We do not have that as yet.

In fact, the ambassadorial nominations we have been discussing are still not out of committee, and the START II treaty is still not out of committee. They are not on the Senate Calendar.

I feel if we could get a unanimous-consent agreement which provided for a vote prior to adjournment this fall of this session on the Ambassadors and also provide for a time and some limited amount of debate to get START II dealt with, I certainly would be willing to go with that. I think what we do need is an agreement that Senator HELMS and all the others who are involved in this will agree to.

I do not have any involvement in the negotiations that are taking place with the State Department reorganization or any of that. I do not have a dog in that fight, as the saying goes. I do want to see us deal with these particular matters I have identified here. I would like agreement among all Senators to do that. If we can get that unanimous-consent agreement, with Senator HELMS agreeing to it, then obviously that would resolve my concerns.

Mr. DOLE. I have the agreement in my hand. I have been trying to get it for several weeks. We have come very close, I must say. This is not just Senator HELMS. It involves the Senator on the other side. I do think we are that close.

In this agreement, it also says we will take up the START II treaty. START II is part of it, along with all the nominations. I think it takes care of those that might be pending in the committee, too, or discharged. Even though they have not been reported out, they would be covered, too, by our agreement.

We thought we might get this agreement yesterday. That is how close we are. I have not given up on getting it yet today. I asked Senator HELMS, the Senator from North Carolina—I thought it might take several days on START II. He said he did not think so. He thought there would be one or two amendments.

So, as I understand, once the logjam breaks, within 4 hours we can complete

action on State Department reorganization and then all the nominees would be confirmed, and then START II—at least there would be an agreement to take up START II. I think we are getting very close to what the Senator from New Mexico would like to achieve. I just hope we can work out something so that while we are trying to achieve this, which is the agreement, that we can also proceed on Senate Joint Resolution 31.

I have just been advised that maybe one phone call away, we may be working something out on this.

Mr. BINGAMAN. Mr. President, I compliment the majority leader for the progress made. I am glad to hear all this. I was not aware of it. I do believe it is important we make that one additional phone call and get this nailed down. If I go ahead and say fine, proceed—quite frankly, I have been asking the Democratic leader, Senator DASCHLE, about these matters for about 3 weeks now, and he has consistently, and in good faith, said we are just about to agree. We are very close. I know he is in good faith; I know the majority leader is in good faith; I certainly feel I am in good faith. But I do want to see us get the agreement entered before we proceed to consider this constitutional amendment.

As I said, I have no objection to us voting on the constitutional amendment, but I would like to have that put off until we have agreement to vote on these other matters that are agreed to by all Senators.

Mr. ROTH addressed the Chair.

The PRESIDING OFFICER (Mr. BURNS). The Senator from Delaware.

OPERATIONAL TEST AND EVALUATION

Mr. ROTH. Mr. President, I rise today to express my strong opposition to what I believe is a very destructive provision in H.R. 1530, the Defense authorization bill.

That provision would repeal the public laws that created and gave authority to the Director of Operational Test and Evaluation in the Office of the Secretary of Defense.

What is at stake here are the lives of our men and women in uniform.

The OT&E was created by Congress over 10 years ago with strong bipartisan support. The purpose of this office is to ensure that our servicemen receive weapons that are tested in an independent manner and in an operationally realistic environment. This office was created to guarantee that the weapons our soldiers take into the battlefield are ready for combat.

In this important way, the OT&E saves lives.

Mr. President, the OT&E is also the conscience of the acquisition process. Its work has helped to prevent waste and fraud. It is the cornerstone to Congress' and the Pentagon's fly-before-you-buy approach to new weapons platforms and other military equipment.

In this important way, the OT&E saves the taxpayer money.

I understand that the provisions eliminating the Director of the OT&E originated out of an effort to streamline the already bloated Pentagon bureaucracy. I support that larger effort. Together with Congressman KASICH, I have sponsored legislation that would streamline the Pentagon's acquisition process.

However, eliminating an effective OT&E will not eliminate the need for testing under realistic battlefield conditions. It does raise the question as to what office will be responsible for approving tests and representing the troops through independent evaluations of new weapons.

Moreover, the OT&E has already been streamlined. Last year's Federal Acquisition Streamlining Act merged live-fire testing with the operational testing function. We should also recognize that the OT&E is already one of the smallest directorates in the Pentagon.

Mr. President, the OT&E is an office that has earned the respect of others in the Pentagon and in Congress. After Operation Desert Storm, former Secretary of Defense Dick Cheney stated that the vigorous, independent testing oversight put into place by Congress "saved more lives" than perhaps any other single initiative.

Just last year, the GAO testified before Congress stating that the priority we give to independent testing and evaluation should be increased and not decreased. In its examination of operational testing, the GAO concluded that any changes to legislation for the testing and evaluation of military equipment should preserve, if not strengthen, the fly-before-buy principle.

Yes, Mr. President, the provisions in this year's Defense authorization bill would weaken that legislation.

Let me also remind my colleagues that this body, the U.S. Senate, unanimously passed a resolution just this last August expressing our belief that the authorities and office of the OT&E must be preserved. It is, thus, surprising if not shocking, that the conferees appear to have overlooked this resolution.

Above all, Mr. President, the provisions that effectively decapitate the OT&E constitute an issue of priorities. Do we care more about reducing the size of the Office of the Secretary of Defense or the safety of our troops? I firmly believe that if this provision of the Defense Authorization Act is not removed, Congress will be putting countless lives at risk in the name of reducing a handful of billets.

To do just that as we are sending our troops to Bosnia seems to me to be all the more dangerous. Just yesterday, I read in the New York Times that our forces deploying in the Balkans will be equipped with an array of new technologies that have never been tested in combat. Could we imagine sending our

troops to battle with equipment that we have not made the fullest effort to subject to operationally realistic testing?

Mr. President, I urge the conferees of the Defense Authorization Act to remove the provisions eliminating the Office of Operational Test and Evaluation. If they are unable to remove that provision, I will encourage my colleagues in the Senate to vote against the authorization bill. The safety of our servicemen and women requires our full support.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin [Mr. FEINGOLD] is recognized.

Mr. FEINGOLD. Mr. President, I rise today to make a brief statement about Senator KASSEBAUM which I know she prefers I wouldn't, but which she will have to endure as a price of her retirement. It is, of course, a statement of tribute to her service in the U.S. Senate, and an expression of deep personal regret that she has decided to retire.

Many of my colleagues and the major papers are rightfully highlighting Senator KASSEBAUM's legislative accomplishments and her many courageous, nonpartisan positions. But I want to focus my comments on her role in United States-Africa relations. I have had the immense pleasure of working with her in the past year as the ranking member on the Subcommittee on African Affairs, of which she has been an active member since 1981, and of course now chairs. For me, Senator KASSEBAUM's deep commitment, genuine expertise, and tremendous leadership on Africa have been one of the most inspiring influences I have had while in the Senate.

In many ways, the fact that she chose Africa as one of her specializations says so much about what kind of legislator she is. As our colleague from Illinois, Senator SIMON, often reminds us, though well-known and admired in Africa, Senator KASSEBAUM surely got few votes in Kansas for advocating Africa's interests. It certainly is not glamorous to travel to many of the places in Africa she has visited. And she certainly does not get the limelight often accorded foreign policy experts as a leader on United States-Africa issues. However, she has made a commitment to the region because it is the right thing to do: because there are complex issues in Africa that call out for American attention, and there have been too few voices in Congress that have cared about the United States-Africa relationship. She has grappled with the difficult issues, such as the genocide in Rwanda, the failing transition to democracy in Nigeria, the small window of opportunity to consolidate peace in Liberia, the reconstruction of Angola, the tragedy in Sudan, and so much more. Senator KASSEBAUM can always be counted on to address these issues, and then to work persistently to shape intelligent and active U.S. policies. This commitment exemplifies the

principle, integrity, and keen sense of responsibility that have characterized her entire career.

But Senator KASSEBAUM also stands out for her bipartisan—even nonpartisan—approach. While working wonderfully as a team player, she also has the strength to be independent when her principles are at stake. That is one of the reasons she has been so effective. For example, in 1986 Senator KASSEBAUM broke with a Republican President and led the vote to impose sanctions on the racist apartheid regime of South Africa. This, of course, was the defining moment that changed United States policy from constructive engagement to isolation of the regime, which eventually brought down apartheid, and gave birth to majority rule in South Africa.

She has presided over our subcommittee in the same nonpartisan manner. While the Foreign Relations Committee may seem entangled in bitter partisan battles, the Subcommittee on African Affairs has functioned actively and smoothly under Senator KASSEBAUM's leadership, demonstrating what bipartisanship can accomplish when reason prevails and pettiness and politics are set aside. For me, it has been a wonderful opportunity to learn about Africa, and I think it has also enabled the subcommittee to do its job as a policymaker. Senator KASSEBAUM has given me faith that in spite of all the rancor and partisan bickering, it is still possible in the Senate to reach across the aisle and work together.

These are some of the attributes that have made Senator KASSEBAUM a great Senator. But she is also a joy to work with because she is such a delightful and gracious person. As much as I enjoy the subject matter, I think her kindness and dedication have helped sustain my active interest in Africa, and make it an enjoyable experience.

It will certainly be a more lonely process without her. Mr. President, I will value the next several months, working with her and learning from her. I will sorely miss her in the next session.

I yield the floor.

OPERATIONAL TEST AND EVALUATION

Mr. PRYOR. Mr. President, today, I rise in the Senate to voice my very strong opposition to the actions being considered by the House Senate conference committee on the Defense authorization bill.

Mr. President, I have been informed, with some of my colleagues, and I am very sorry I did not get to listen to all of the remarks of my good friend and colleague and partner in this issue, Senator ROTH of Delaware, we have been informed that the conference committee is now considering turning back the clock on 12 years of progress in the war against \$600 hammers, \$1,000 toilet seats, guns that do not shoot, bombs that do not explode, and planes

that do not fly. I believe what is at stake are the lives of our men and women who serve this country in the Armed Forces.

Mr. President, I am speaking today of the very useful and most critical role of the Office of the Director of Operational Test and Evaluation in the Pentagon and the effort underway in the conference committee to totally annihilate and to eliminate this office.

As I address the Senate this afternoon, the conference committee on the DOD authorization bill is now deliberating over whether to repeal the bipartisan legislation written by myself, along in 1983 with Senator ROTH, Senator KASSEBAUM, Senator GRASSLEY, and others, that created the independent weapons testing office.

This legislation this is now known as section 139 of title X establishes the Operational Testing Office that currently Mr. President, oversees, evaluates, and reports on the results of tests conducted on our new military hardware.

This Office was designed to report directly to the Secretary of Defense with this independent assessment of the weapons being tested, procurement, and combat use. The job of this Office has been to help make good weapons better and to help keep weapons that do not work out of the hands of our soldiers and sailors.

It has saved the taxpayers billions of dollars by exposing many troubled systems before they become costly dinosaurs and disasters. The ultimate contribution, I think, of the Operational Testing Office has been the lives it has saved by helping to ensure that our Armed Forces are not sent into combat with weapons that are faulty and do not work and will fail in an operational environment.

Support for this Office, Mr. President, has always been bipartisan. For example, former Defense Secretary Dick Cheney said that the independent weapons testing "saved more lives" during Operation Desert Storm than perhaps any other single initiative. Current Defense Secretary William Perry has recently described this Office as "The conscience of the acquisition process."

Earlier this year, I was extremely shocked to learn that the House National Security Committee recommended repealing section 139 of title X, thereby eliminating this Office.

Because of what we consider to be a very irresponsible initiative in the House of Representatives, Senator ROTH and myself sponsored a bipartisan sense-of-the-Senate resolution voicing the Senate's full support for the Testing Office and our strong objection to repealing its charter. This resolution passed the Senate unanimously during consideration of the defense authorization bill in August in 1995.

We were recently notified that the conference committee apparently is disregarding the sense-of-the-Senate